

19CR692-1

**STANDING ORDER FOR ALL CRIMINAL CASES ASSIGNED TO
JUDGE DOW AS OF SEPTEMBER 15, 2020**

This order will be entered in all criminal cases pending before Judge Dow as of September 15, 2020, and pertains to the setting and resetting of matters during the COVID-19 pandemic and the efforts to reopen the courthouse consistent with social distancing and other protocols related to the ongoing public health crisis. Until further notice, Judge Dow will be operating on a “B” calendar, with criminal proceedings scheduled in the mornings on Mondays, Wednesdays, and Thursdays every other week (including the week of September 14), and criminal proceedings in the mornings on Tuesdays and Fridays in the next week (including the week of September 21), and so on.

During this time, routine matters will continue to be handled to the extent possible through written status reports that will update the Court on discovery, anticipated motions, expected changes of plea, and requests for trial dates. **To facilitate the rescheduling of all of these matters, the Court directs counsel in every criminal case to confer and file a joint status report no later than three business days before each scheduled status hearing.** If counsel believe that a telephone status conference would be useful, they should so indicate in their joint status report. Counsel should indicate in every joint status report whether the parties agree to exclude time under the Speedy Trial Act until the next scheduled event in the case. For arraignments, changes of plea, and sentencings, defense counsel also should indicate whether the Defendant consents to proceeding by video conference or telephone to the extent permitted under the CARES Act.

Jury trials have resumed in this District, but on a limited basis due to the need to observe social distancing and all other CDC and government imposed and recommended safety protocols. Only one trial may commence each day because all voir dire will be conducted in the Ceremonial Courtroom to permit social distancing of the large group required to select a jury. Given the number of judges in the building and the volume of trials that need to be reset since March, as well as those already set for the rest of this year, it will take a considerable amount of time to catch up on the backlog. This Court has a week-long jury trial set for October 5 and has requested another trial date on November 2. The Court will continue to place requests to the Re-Start Committee for trial dates as parties indicate that they are ready for trial, following the prioritization set out by the

Committee. Trials that previously been postponed for Defendants who are in custody will get top priority. The Court will update counsel as quickly as possible when further information becomes available in regard to which trials will go forward on which dates. Once a jury is selected in the Ceremonial Courtroom, the remainder of the trial will be held in Judge Dow's regular courtroom on the 23rd floor, although many special protocols will be in place to ensure to the maximum extent possible the safety of all concerned. If any parties are mutually agreeable to a bench trial, they may contact the Courtroom Deputy at any time.

The Court thanks all counsel and parties for their patience as we all endeavor to work through the current public health crisis in a manner that protects the rights of all litigants as well as the safety of litigants, lawyers, court staff, and the public. If anyone has questions about this order, please email the Courtroom Deputy at Carolyn_Hoesly@ilnd.uscourts.gov and we will respond as quickly as possible.

Dated: September 15, 2020

A handwritten signature in black ink, appearing to read "Robert M. Dow, Jr.", written over a horizontal line.

Robert M. Dow, Jr.
United States District Judge